

THE UNITED STATES DISTRICT COURT
OF THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

FEB 23 2018

MICHEL THOMAS)
V.)
GRUNDFOS, CBS,)
MADS NIPPER,)
HENRIK CHRISTANSEN)
JONATHAN HAMP ADAM)
HENRI BAEK)
ESTHER)
STEVE MARSHALL)
BILLY BAXTER)
TERRY JALUFKA)
CHAU NGYUEN)
PADDI RIOPELLE)
LONNIE PADILLA)
THOMAS BRAUN LARSEN)

David J. Bradley, Clerk of Court

VERIFIED COMPLAINT

Come Now, I, Michel Thomas am filing this civil action against Grundfos and CBS under Title VII of the

Civil Rights act of 1964 and Chapter 21 of the Texas Labor Code for a Sexual Harassment, Hostile Work environment, age, race, sex, and religious discrimination, as well as retaliation for the reasons outlined in the statements and or internal complaints that were filed with the appropriate entities. Plaintiff asks the court to deem the internal complaints and statements attached as the bases for which Plaintiff is stating his claims for the cause of action. Plaintiff is also filing a civil action against Grundfos, CBS, Mads Nipper, Henrik Christansen, Henri Baek, Esther(do not know last name work with Baek), Jonathan Hamp Adam, Steve Marshall, Thomas Braun Larsen, Chau Nguyen, Paddi Riopelle, Billy Baxter, Terry Jalufka, and Lonnie Padilla for race discrimination and retaliation under 42 USC 1981.

Plaintiff asks the court to permit Plaintiff to amend the complaint in a timely manner, if

Plaintiff deems it necessary or his representative deems it necessary.

Plaintiff is asking for fifteen millions dollars and/or the amount allowed by law and awarded by a jury and/or judge.

Plaintiff worked in a severe and pervasive work environment of sexual harassment that occurred from the day I started with Grundfos until the day I filed the internal complaint and the investigation took place. Shortly after the filing of the complaint the retaliation started in the form of isolating the temporary employees after we participated in the investigation of the internal complaint I filed. It was of contact homosexual comments and physical acts.

Plaintiff was also discriminated against (race and age) after complaining of issues I deemed as a work hazard. Two European American males were treated more favorably than Plaintiff, a Non-European- American male, when it came to training to be an Assembly Mechanic.

Also Plaintiff learned that European- American were shown favoritism (discrimination) over Non-European- Americans, including over myself and that resulted in retaliation once I raised that issue with the Human Resource person at Grundfos, from Link Staffing, CBS, and Grundfos and its representatives.

Plaintiff resided in Fort Bend, Tx. during the time of employment with Grundfos, and CBS which work location was in Brookshire Texas and Link Staffing 's corporate office is in Harris County, Tx.

Grundfos, CBS and Link Staffing each employ over 500 employees each.

Plaintiff is demanding a jury trial.

Once again Plaintiff asks the Court to consider the internal complaints and/or statements that Plaintiff have filed with employer(s) and /or the agencies that I filed the Charges with and had the statutory duty to investigate the allegation, which Plaintiff filed timely.

Respectfully Submitted

Michel Thomas, Pro SE

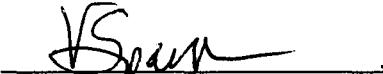


Date: February 22th, 2018

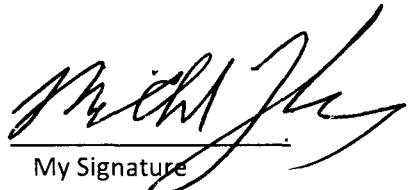
7923 Thorn Croft Manor Lane Richmond, Tx. / 770-255-8917

I swear under the penalty of jury that all assertions made in the complaints and statements are true to the best of my knowledge.

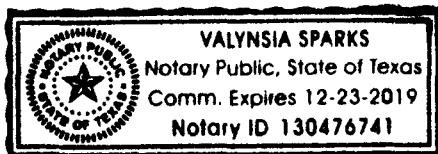
Sworn and subscribed on this 23, of February, 2018.
Day Month Year



Notary Signature



My Signature



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Michel Thomas
7923 Thorncroft Manor Lane
Richmond, TX 77407

From: San Antonio Field Office
5410 Fredericksburg Rd
Suite 200
San Antonio, TX 78229



*On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.	EEOC Representative	Telephone No.
31C-2017-00509	Jaime Valdez, State & Local Coordinator	(210) 281-7661

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge..
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state) :

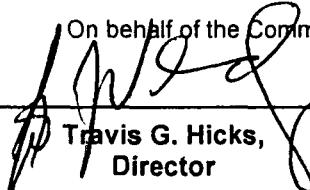
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice;** or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission


 Travis G. Hicks,
Director

Enclosures(s)

Nov. 28, 2017

(Date Mailed)

cc: GRUNDFOS

c/o Kristen A. Page
SHOOK, HARDY & BACON LLP
2555 Grand Blvd.
Kansas City, MO 64108

EMPLOYMENT DISCRIMINATION COMPLAINT FORM

Texas Workforce Commission Civil Rights Division

Please return this form by:

Mail: 101 East 15th Street, #144T, Austin, TX 78778-0001

Email: EEOIntake@twc.state.tx.us

Telephone: (888) 452-4778 or

Fax: (512) 463-2643 (Please include a cover sheet with your name and the total # of pages included.)

TWCCRD# _____

EEOC# _____

Please indicate if you have previously filed this complaint with any of the agencies below:

Texas Workforce Commission Civil Rights Division (TWCCRD)
 Equal Employment Opportunity Commission (EEOC)
 City of Austin Equal Employment and Fair Housing Office
 Corpus Christi Human Relations Division
 Fort Worth Human Relations Department

DATE RECEIVED (For Office Use Only):

Please be sure you provide all the information requested. For Assistance, send an E-mail to EEOIntake@twe.state.tx.us or call us at (888) 452-4778. (Ofrecemos asistencia en Español)

Complainant Full Name:

Michel Thomas

Address Line 1: 7923 ThornCroft Manor Lane**Address Line 2:****City/State/Zip:** Richmond, Texas 77407**Home Phone #:****Other Phone #:** 770-255-8917**Email:** jumpstart0820@gmail.com**Complainant Representative (Optional): (If you are represented by an attorney, please have them submit a letter of representation):****Address Line 1:****Address Line 2:****City/State/Zip:****Phone #:****Fax #:****Preferred Form of Contact: (Please check)**

E-mail Telephone

Date Hired: 12/14/2014 **Position held:** warehouse laborer**Still employed?** Yes No**HR Personnel Officer/EEO Officer/or Highest Ranking Officer on work site:**
Paddi Riopelle**Name of Employer (Please be sure to give the complete Company name and address where you physically worked)**

Grundfos

15 or more employees:

Yes No

Company Address**Address Line 1:** 902 Koomey Road**Address Line 2:****City/State/Zip:** Brookshire, Texas 77423**Phone #:** 281-994-2700**Company Officer Address****Address Line 1:** 902 Koomey Road**Address Line 2:****City/State/Zip:** Brookshire, Texas 77423**Phone #:** 281-994-2700

BASIS: I believe I have been discriminated against in violation of state law (Texas Labor Code, Chapter 21) and federal law (ADEA, GINA, Title VII, ADAAA), as follows:

Age (You must be 40 years of age or older to qualify):
 Date of Birth:
 04/16/1965 Month/day/year
 Age at time of incident: 51

Color (Based on skin color):
 Black
 Brown
 White
 Other

Disability:
 Disabled
 History of disability
 Regarded as disabled
(Pregnancy is NOT a disability unless you are regarded as disabled.)

Please mark only the basis you believe were the reasons you were discriminated.

GINA
 (Genetic Information Non-discrimination Act)

National Origin:
 African-American
 Anglo/Caucasian
 East Indian
 Hispanic
 Mexican
 Other

Race:
 American Indian/Alaskan Native
 Asian/Pacific Islander
 Black
 White
 Other

EXAMPLE: If your treatment was because of your race, then check only the box by your race.

Religion:
 Baptist
 Catholic
 Jewish
 Muslim
 Other

Retaliation
 Assisted another filing discrimination
 Filed a complaint of discrimination
 Participated in discrimination investigation
ON THIS DATE:
 05/24/2016
 Month/day/year

Sex:
 Female
 Female/Pregnancy
 Male

<input checked="" type="checkbox"/> Demotion (D1)	<input checked="" type="checkbox"/> Layoff (L1)	<input checked="" type="checkbox"/> Suspension (S5)
<input checked="" type="checkbox"/> Discharge (D2)	<input checked="" type="checkbox"/> Promotion (P3)	<input checked="" type="checkbox"/> Terms & Conditions (T2)
<input type="checkbox"/> Discipline (D3)	<input type="checkbox"/> Reasonable Accommodation (R6)	<input checked="" type="checkbox"/> Training (T4)
<input type="checkbox"/> Harassment (H1)	<input type="checkbox"/> Severance Pay (B5)	<input checked="" type="checkbox"/> Wages (W1)
<input checked="" type="checkbox"/> Hiring (H2)	<input checked="" type="checkbox"/> Sexual Harassment (S4)	<input checked="" type="checkbox"/> Other: Benefits/Bonus

The following questions are regarding the employment harms or actions taken against you.
 (Each incident must be within 180 days of the date you submit your complaint to the TWCCRD.)

DATE(S) DISCRIMINATION TOOK PLACE (Month/Day/Year)

Earliest (Month/Day/Year)

05/23/2016

Latest (Month/Day/Year)

10/07/2016

 CONTINUING ACTION

Name and Position Title of person(s) who did the harm:

Paddi Riopelle, Chau Nyugen, Steve Marshall, Billy Baxter,
 John Hamp Adam, Terry Jalufka

(If filing under race, color, national origin, religion, sex, age,
 please provide the race, color, national origin, religion, sex, or age of the person(s)
 discriminating against you:
European-American)

Did you complain of discrimination to your employer? Yes No

If Yes, date of complaint: 06/14/2016 (Month/Day/Year)

Name and Position Title of person(s) you complained to:

Grundfos Corporate in Denmark/ Henrik Baek

Explain why you believe the employment harm(s) and/or action(s) were discriminatory:

Because I was treated less favorable than other European-American in similar situated positions.

Employer's reason for its action:

They gave different reasons. Please see the two complaints attached.

Are there other employees treated more fairly than you? Yes No

If Yes, please provide the information below:

Full Name and Position Title	(If filing under race, color, national origin, religion, sex, and/or age, please provide the race, color, national origin, religion, sex, or age of the person(s) treated more fairly than you.)
Matt Thompson/ Temporary Employee	European-American
Chris Voss/ Temporary Employee	European-American
Todd Kirchoff/ Temporary Employee (was at the time of discrimination)	European-American

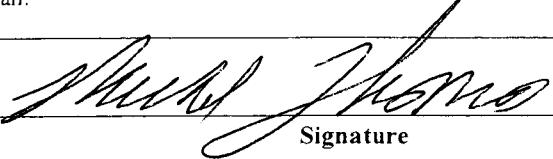
What are you seeking as a resolution to your case?

To be made whole.

What is the most convenient method to contact you:

Email:

Telephone: (770)2558917



Signature

Date

To: Mads Nipper

Henrik Christiansen

COMPLAINT

I Michel Thomas was working at the Brookshire Grundfos location until October 18th, 2016. At which time my assignment was ended at that location, this was retaliation due to the fact that I raised the issue of Class Action Racial Discrimination that has been going on for five years or more years and on October 13th, 2016 at the 915am Tool Box meeting with Paddi Riopelle present as well as the entire assembly employees I raised the issue and set it out a course of events which culminated in my assignment being terminated in an attempt to silence me from reporting what I discovered to Corporate Grundfos. I will explain things in depth below in a more detail order of events. But I am asking that an investigation be conducted by Corporate Grundfos, because the local management has proven that they cannot be trusted to do the right thing, but to do more of the same of intimidation and retaliation. I did not want to bother Corporate Grundfos with the task of investigating this matter, against my better judgement I thought I could have the local Human Resources do the investigation and report the findings to Corporate. Paddi Ripelle told me she would look at the data and set up a time to meet with me, but once she confirmed what I had already confirmed, management, Human Resources and Link Staffing began working in concert to find a way to silence me , this is the way they do business, as I made clear in my previous complaints. Just like the culture of sexual harassment there is a cultural of racial discrimination being perpetrated by management and Human Resources, they cannot logically claim ignorance, it is too severe and pervasive and their reactions to the issue being raised states the

validity of the issue being raised. What is being done is, as far as the Class Action Race Discrimination, is illegal, immoral , and inhumane, PERIOD. WHO JUDGE PEOPLE ON RACE AND NOT PERFORMANCE IN 2016.

BACKGROUND

In June 2016 I filed a complaint with Corporate Grundfos and an investigation was conducted.

On September 30th, 2016 I go to Chau Nguyen of Human Resources and ask for the information on how to contact Mr. Henrik Christiansen, see the print out the information was presented to me. This took place around 9:15am Central Time (all times will be mention in Central Time).

At 3:06pm I get a message from Christen on my cell phone telling me to call her, this is still September 30th, 2016, the 3:25pm bell rings to end shift and Billy Baxter approach me and tell me Christen, of Link Staffing, (the agency that sent me to Grundfos), wanted me to call her and told me to do it in his office before I left the building, so I went to his office, where Jennifer Kimbrell and Khai Nguyen were present in other offices outside of Billy Baxter's office. I call Christen and she ask me if there were an issue, I told her no, and she said they, (management) were concerned there were an issue, I informed her that at the time there was no issue, the conversation ended and I informed Billy Baxter of the same, and as I was leaving, Billy Baxter was going into the building where Human Resources is located.

CLASS ACTION RACIAL DISCRIMINATION

The week of October 3rd, 2016 I discovered (after speaking with many of the employees on the shop floor) that the locate management and Human Resources were participating in Class Action racial discrimination. This is how it works, a European- American is only required to work four months or less as a temporary employee and a decision is made on their status, they are either made a full time employee or their assignment is ended. But contrast that to Mexican- Americans and African-Americans they must work anywhere from 8 months to 32 months as a temporary employee before a status

decision is made on them, to make them full time or terminate their assignment. Let me be clear this is not only going taking place on the shop floor but up in the offices (administrative jobs, like customer service) as well.

Mexican-Americans and African-American can only get hired on full time in two instances, neither they have to give a two week notice (decide they have had enough and just quit) or there is an European –American who have served 4 months or less as a temporary employee that they want to hire full time and they hire them (European-American) on full time and if the Mexican-American and African-American employees stick it out long enough for that to happen then they will get a full time offer.

Management (Chau Nguyen, Billy Baxter, Paddi Rippelle, Steve Marshall, Rick G.) had a very clever process of concealing this Class Action Racial discrimination. Once they have that European-American that spent four months or less, they then would hire them along with a Mexican-American and/or African American, so when you look at the hiring ratio among each race it will be evenly distributed, which is what most look at. But you must pull back the blanket of concealment and look at the time each person spends as a temporary employee and the Class Action Racial Discrimination is exposed. I must admit the scheme was clever, however disgusting, it was clever, the scheme it is. So this was not by accident. The minute a Mexican –American say that are quitting and BAM they have a position for them you are hired.

There is a way that an European-American will have to wait for more than four months, that is when there is three or more Mexican-Americans and African-Americans that came in ahead of around the same time, then the European-American is going to have to wait it out because there is no way they are going to hire that many Mexican-American and African-American in 4 months or less, they must prove their value or quit.

Case and point Jesse, a European-American who works in logistic he started as a temporary

employee at the exact same time I did December 14th, 2014 as did Adolf , MA(Mexican-American), Rudy Williams, AA(African-American) and Antonio, AA, who was already there working in the Stock Room, so there is no way Jesse was going to be hired in four months or less, he was not worth it, but an European-American did arrive that was worth it, his name was John Kroll (the brother of Patrick Kroll, whom is Billy Baxter's favorite, Patrick got hired in 4 months or less and got promoted in a month). John quit and was out for a week reportedly from an incident with Ray (Assistant Lead in Logistic). He can back and a month later five position came available for John and Jesse EA (European-Americans), Antonio and Rudy, AA, and Adolfo, MA. This was in around September 2015, when Billy Baxter along with Terry Jalufka took me into Billy's office and told me it was a numbers game they only had five positions but I was next to be hired if I just continued the good work.

The other case Matt Thompson, EA he is still waiting because there's too many MAs and AAs ahead of him or came in around the same time he did. Myself, AA, Anthony Winston, AA, Lou Harris, AA(assignment ended, raised a race concern with Link Staffing), Jorge Sosa, MA, and Oswaldo Bustos, Jr., MA, all have spent over 12 months of time as a temporary worker with Grundfos and is due to next in line working in their perspective areas, but this has created a hiring freeze to be instituted at that location but only for AAs and Mas, because everywhere else within that location people are being hired.

Let me give you a prime example of the favorable treatment showing to EAs over MAs and AAs. In February 2016 Terry Jalufka announces in the Employee Action meeting there are two positions available Industrial Painter and Clean and Prep, where Anthony Winston and I was working respectively. Todd, EA begins there around February 2016, so they do not fill the positions with Anthony and I as we both had been promised. Steve Marshall promised Anthony and Billy promised me. They hold the positions and then change them to electrical positions (a pretext to justify hiring Todd) and hire Todd.

Alex Silva, MA started as a temporary employee at the location before Todd and they hired Todd full time and did not hire Alex and they both are in the "ELECTRICAL DEPARTMENT", it was only when Alex tell them he was quitting, did they do what they always do, HIRED HIM. In that one incident everything it shows how things are being done. Todd worked four months or less he was given full time and the MAs, and AAs had to wait and only when Alex told them he was quitting was went a position became available for him.

For everyone else it is still a hiring freeze something Jonathan Hamp-Adams reiterated to me on September 1st, 2016 when he met with me, with Steve Marshall, to give me an update on the investigation.

What pains me, after realizing that my race and not my job performance and professionalism, is what determines when or if I will be made full- time. What pains me is not the fact that I work ten or twelve hours days with aching feet, ankles, back, and knees in a hot none climate control building or the fact that in cold weather wading in water, feet soak and wet and catching a cold but I could not take off because I did not have any Vacation Time or Personal Time, it's not the fact that I could not go to the dentist when I had a tooth ache, because I did not have the excellent insurance that Grundfos provides, that all the employees proudly brag about. No, what pains me is that when my baby girl asked me to go on her Pre-K field trip at her school or come to have lunch with her at school, or go to "Doughnuts for Dads Day at her Kindergarten class, and I tell her no and the disappointment in her eyes while she ask why not? Her classmates' dads come. All I can tell her is daddy got to go to work. I missed those opportunities to make those memories with her and I am HIGHLY PISSED to know it is because I was not born European-American. But I must make it clear, I am only upset with those responsible and no one else, because they only received the favorable treatment I too would have quickly and gladly taken if I was in their place, so I will not be a hypocrite and begrudge them. This is about management and

Human Resources, this is their doing, the divisive actions they took is inexcusable and unacceptable from my vantage point.

RETALAIITION

I raised the issue of racial discrimination with Paddi on October 13th, 2016, Link Staffing was then notified that I had raised that issue and I received a message on my phone that Link Staffing Human Resources and the Regional Director was coming to meet with me on October 15th, 2016 at 11:00am which was changed to October 17th, 2016 at 11:00am. Paddi and Lonnie gave me permission to raise the issue in the meeting, they ask twice in the meeting if anyone had any issue they wanted to raise with Paddi now was the time, and then to contact Link Staffing after I raised the issue and cause me to be written up was wrong.

At this meeting on October 17th, 2016 I was presented with a counseling statement of a Final Written Warning for approaching their client and raising the issue with them(which I did not and Grundfos did not tell them I was given an opportunity to raise the issue in the Tool Box Meeting) without raising the issue with Link Staffing and telling me I was prohibited from raising the issue with Corporate Grundfos, that they would do the investigation. I then told them to give me written notice stating that I was prohibited from filing a complaint with Corporate Grundfos(I knew they were not going to provide that written notice) and they said they would get back with me in a couple of days. Management at the Grundfos local location, cause to have this disciplinary action taken against me for participating in protective activity under Title VII of the Civil Rights act of 1964 and Chapter 21 of the Texas Labor Code in an attempt to intimidate and retaliate against me, to prevent the complaint from being file with Corporate. Once I wrote my comments on the Written Counseling there were three copies of the written Counseling made, one was given to me and when I left the meeting and returned,

to ask a question, Paddi was in the office with Link Staffing Human Resources reading my comments I had made on the written Counseling I had received. I made it clear to Link Staffing Human Resources, with Paddi Riopelle present that I was going to file a complaint with Corporate regardless. Shelia Washington who was seated at the Reception Desk can confirm when I left the meeting Paddi Riopelle entered into the meeting room meeting with Link Staffing Human Resources (Christie O'Brien and Matt Trimble)and when I can back to the meeting room Paddi was still in the meeting room and was still sitting in the meeting room when I left. Also while Paddi was sitting in the meeting room I informed Link Staffing that I was also going to see if Corporate knew that Steve Marshall was terminated from BAE for sexual harassment which also caused him his marriage as a couple of people reported it to me. I will address that issue a little later.

On October 18th, 2016 I could feel the panic and tension in management, including Human Resources, which really started on October 13th, 2016, once I raised the issue of race discrimination. But at the Tool Box meeting, on October 18th, 2016 Chau Nguyen came to the meeting and made an announcement about the safety glass truck coming then asked if anybody had any issues it wanted to raise at this time with Human Resources, (keep in mind I had just received a Final Written Warning for raising an issue with Human Resources by Link Staffing) but I remained silent feeling it was an attempt to get me to raise an issue and that be used as the pretext for Link Staffing to terminate me. So I left once the meeting ended and went to my work station and Chau had to that trap back to her office and set it off.

Ten or fifteen minutes later at around 930am Roy Blair, who I was working with in the Kitting Area ,came to me and told me that Billy Baxter and Lonnie (the interim Lead) told him to change his password on the computer and not to give it to anyone(I am the only one working with him in Kits) because some illegal things may be going on. Each day at lunch I would use the computer in the Kitting

Area to get the latest news on the Presidential Race and Billy Baxter as well as other witnessed this, Billy and I had even discussed the race while I was on the computer, but I assure you I never did anything illegal or went to any inappropriate sites while on the computer. Once Roy told me this, at lunch time I did not use the computer, the message was clear they did not want me to use the computer and even though they did not tell me that directly, they told me indirectly through that change which was made after nearly two years (the time I had been working at the location). I did not want to give them a reason to end my assignment so I stayed away from the computer during my lunch time, Chuy and Luis Torres can attest to the fact that I would use the computer in the Kitting Area during lunch and Billy Baxter was well aware of this.

At around 1:10pm I had just completed a RUSH order (the procedure has always been if there is a RUSH order it gets priority over all other things to ensure we get the customer its order on time to meet our KIPs , on time to promise, or target lead time) but the green Clark forklift that is usually in the Kitting Area was not there , so I went off to look for it I went down to the Water Test Area, the Maintenance Area, the Clean and Prep Area and outside to the shed where they De-crate (taking parts out of the crates to place them in stock), ask Danny, he asked me what was I looking for and I told him the green forklift and he told me it was not out there, as I seen. When I was looking for the green forklift going to the Water Test Area there were two things I noticed that are very important. (1) I noticed that there were two fork lifts that were not being used (one in the Crating Area next to the Paint Booth and one in the Water Test Area), (2) as I was walking past the Paint Booth Area to the Water Test and Maintenance Area looking for the green forklift I noticed Camarino (the painter) and Emilio (Senior Mechanic) laughing and talking in Spanish. Camarino is out of his paint jumpsuit and standing there talking, when I walk by them again to go outside to search for the green forklift they ae still standing there talking and laughing. After not finding the green forklift I decided to go get the Water Test area to

get that forklift to move the RUSH order to the Stock Room. (When the Rush order was brought out, from that point Patrick Kroll was monitoring the progress I was making on getting the RUSH order (he was not pressuring me or harassing me, but it was clear that order needed to get done) completed, it was a three piece Liquid End Kit , Production Order Number 9814809 and Material number (Kit Number) 91910091.

As I head to the Water Test Area both forklifts are available for use and as I past the Paint Booth Camarino is still standing at the end of the Paint Booth conveyor line laughing and talking to Emilio, both area standing just behind the yellow line of their work areas. I go down and get the forklift from the Water Test Area and head back to the Kitting Area to take the RUSH order to the Stock Room, so they could close it out as being ready to ship out. As I approach the Paint Booth Camarino yells at me to move a pump from the paint booth I tell him give me one minute, by holding up one finger and pointing over to the Kit Area to indicate to him I had to move something from over there first, I then pointed at the forklift that was still sitting in the Crating Area available, at the that time Emilio yells "Mike, MIKE" I hold up one finger(it was my index finger not my middle finger) to him as well give me one minute, as I was turning the corner I could see in my rear view mirror Camarino was headed over to the Crating Arear to get the other forklift and as I was moving the RUSH order to the Stock Room Camarino was moving the pump from the paint booth.

So then break came at 130pm and as I approach Emilio I asked him what did he want he told me he wanted me to move the pump from the paint booth and then gave me a fist bump, but he would not look me in my eyes I felt something was off.

At 1:50pm after break I seen Billy Baxter and Lonnie headed my way seemingly to talk to me, but at the exact same time Patrick approach me and ask me if I had taken the RUSH order to the Stock Room I gave him the thumbs up and he gave me the thumbs up and went back to his office, at that same

time Billy and Lonnie then turn around and headed back up toward Billy's office.

At 2:0pm Lonnie come to me and tell me that it is slow in Kits and I can go home at 3:30pm and we were schedule to work until 5:30pm, I go to Anthony and Adolfo and I ask them were they leaving at 3:30pm and they said no and Roy Blair told me Lonnie told him to go to the 52 or 53 line which ever one he wanted to because it was slow in Kits, but Roy even stated he did not see how they could say it was slow in Kits.

At that point I got the feeling in my gut that they were getting ready to end my assignment and they were going to use the forklift situation as the reason to do so, that is when I made the decision to make a copy of the Kitting Activity Log to document what was going on. I then went to Anthony Winston and told him today is going to be my last day let me get your phone number, but he was on the forklift and I never got a chance to get his number before I left at 330pm.

At 5:40pm I get a call from Matt Trimble, Regional Director and someone else from Link Staffing do not remember his name, but I was informed that Grunfos had ended my assignment but I was still a Link Staffing Employee, but they did not have any work for me at this time. I then told them I will be contacting Corporate Grundfos and the other guy was telling me I could not do that because I did not have any relationship with the client and I told them I was going to do it and then the other guy ask me if I was going to send them a copy and I told them I was not. I asked about my unemployment benefits they told me that was between me and the Texas Workforce Commission.

Grundfos at the Brookshire location ended my assignment in retaliation because I participated in protective activity under Chapter 21 of the Texas Labor Code and Title VII under the Civil Rights Act of 1964. They retaliated so recklessly looking for any reason because I made myself crystal clear I was going to report this to Corporate Grundfos and they were in total panic mode.

I ask that my assignment be re-instated immediately in the exact manner it was when my

assignment was ended, at the same pay rate, at the same location, working in the same work area until the investigation is completed or pay me a 40 hour work week at \$15.00 hour until the investigation is completed.

STEVE MARSHALL TERMINATION FOR SEXUAL HARASSMENT

I also want to inform Corporate that Steve Marshall was terminated from BAE for sexual harassment and it lead to his wife divorcing him, that is what was reported to me I do not know if it is true or not, Corporate may already be aware of this, the way that the local location cover things up it would not surprise me if that was never disclosed to Corporate.

This helps explains a situation that took place in December 2015 at an All Employee Safety Meeting, where all employees were present. It was a meeting held on safety during Christmas and Robert was the safety guy at the time. This guy for the entire presentation made sexist comment about women for 30 plus minutes with Steve Marshall and Billy Baxter present, as well as Human Resources personnel, Patti Riopelle and Chau Nguyen, and none of them ever addressed it, Claudia Myrick got so offended that she yelled at Robert for all to hear, "WHAT ABOUT MEN", Steve Marshall got up and spoke with the employees after Robert and he never said a thing about his behavior or addressed the issue that harassment is not tolerated by Grundfos. All the employees present in that meeting can confirm this incident.

There are several employees who worked at BAE with Steve who may be aware of the situation, Mike Myers, Marcus Myers, Marlin, Roy (that works in crating), Adolfo, then there are others who may be aware of it Scott, Kevin, Rich(Who Steve replaced), Roy Blair.

I am asking for an investigation to be conducted feel free to contact me at 770-255-8917 I will answer any questions you have of me as it pertains to this matter.

RACE DISCRIMINATION IN TRAINING

There is race discrimination in training as well, Matt Thompson and Chris Voss whom both are European-American males under the age of forty started their training as a Mechanical Assembler the first day they started as a temporary employee. They were moved ahead of me in training and went against the process how things are done when you are hired on as a temporary employee. African-Americans and Mexican-Americans, as was I, were required to go through the Water Test, File and Balance, Trim Machine, Clean and Prep and if we prove our worth then we would be trained as a Mechanical Assembler.

Truthfully Submitted



Michel Thomas

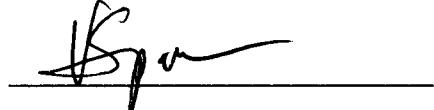
I hereby swear or confirm under the penalty of perjury that all is true to the best of my knowledge.

Sworn and subscribed on this 23 of February 2018.

Day

Month

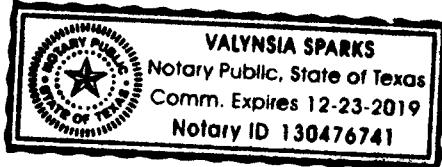
Year



Notary Signature



My Signature



AFFIDAVIT

BACKGROUND

On around December 14th, 2014 I, Michel Thomas went to work for Grundfos Houston In Brookshire Texas as a temporary employee through the staffing agency Linking Staff.

In September 2015 I was taken to Billy Baxter's (production manager) office, escorted by Terry Jalufka, the Lead, with them both being present, Billy inform me that they were hiring others temporary employees to permanent employment whom started as temporary at the same time I did and that I would be next to be hired when another position come available, but it was just a numbers game and they only had five positions available at that time but another position would be coming available in two to three months November or December 2015), and that they liked my work and they wanted me to continue the good work and continue to come to work on time and when the next position came up I would be hired on permanent.

Terry Jalufka told me prior to the meeting that he was going to take me out the Kitting Area and put me in the Trim and Balance Room to begin my training and I would be trained in building pumps, this training would start after we returned from the Labor Day weekend.. As Terry promised I was put into the Trim and Balance Room and began my training.

In November 2015 I went to Terry and informed him of a safety concern I had. I informed him I was inhaling the dust from the metals I was grinding from the impellers in the File and Balance Room and it was coming out green when I sweat at the gym, after running five miles on the treadmill and then putting on my white long john top, and I showed Terry the white top and the mask that I had started to wear. Terry then had me to speak with the Safety person at that time, I believe his name was Robert but I am not sure. I do know he replaced Rudy Hernandez and was replaced by Khai Nguyen.

After finishing my training in the balance room I was due to start training on the trim machine as all those who went before me and all those who had went after me had done, but I was not put on the trim machine, instead I was sent to Water Test, Terry told me once I get glasses, so I could see the caliber without using a magnifying glass he would put me on the trim machine. I informed Terry in December 2015 I had obtained a pair of bifocal safety glasses that permitted me to see the caliber numbers clearly, he then told me he would put me on the trim machine in January 2016 after we return from the holiday break. But in January 2016 after returning from the Christmas holidays Terry put me in Water Test. In February 2016 Terry then put me in Clean and Prep room, later that month Terry came around and explained that he was going to train all temps in all areas for a month to ensure that all persons was being properly train in all areas.

Retaliation

I learned from Jorge Sosa on May 23rd, 2016 that Steve Marshall the Vice President of Operation at Grundfos Houston in Brookshire informed him that the reason I was not placed back into the Trim and Balance room was because I had in fact raised safety concerns about the safety in the Trim and Balance room and that it was taken to mean that I did not want to work in there and therefore I was not being put back in there and that coincides with what Sosa told me on May 17th, 2016 when he said Terry said he was going to keep me from the Trim and Balance room.

This is retaliation for raising safety concerns about breathing in the metal dust from grinding on the impellers to balance them, which have resulted also in me being discriminated (age and race) against for training and promotion(being hired on permanently as promised back in September 2015.)

After all the under the age of 40 temporary employees have been trained in the Trim and Balance room I am still not being placed in the Trim Room for training even though it is a new

month as of June 6th, 2016 when temporary employees are to be moved to another area to be trained in and the Trim and Balance Room and the Paint Booth are the only two areas I have not been trained in.. Each month the temporary employees supposed to rotate to another area but I am being placed in the Water Test Area repeatedly when the under age of 40 temporary employees are not.

Discrimination

In the steps to retaliation against me have resulted in Grundfos Houston discriminating (age and race) against me. In training purposes all the temporary employees(Jorge Sosa, Anthony Winston, Matthew Thompson, and Jonathan L.) in the assembly areas that are under the age of 40 years old have been trained ahead of me in the Trim and Balance area.

I have more time with the company than all three of the under 40 temporary employees. Anthony Winston the last under the age of 40 temporary employee was placed in the Trim and Balance room on May 16th, 2016 and on June 6th, 2016 he was placed back in the Painting Booth and I was not placed in the Trim and Balance Room nor was I placed in the Paint Booth for training as was suppose to happen at the beginning of each month, instead I have been placed back in the Water Testing area where I have been working since I raised the safety concern back in November 2105, only when a new temporary employee begin to work there and need training or work is slow am I moved out for a week or so.. I have learned that Anthony Winston under the age of 40 was given a raise and when I asked Billy Baxter for a raise back in September 2015 it was denied.

In December 2015 Billy Baxter and Grundfos made Bernie Flores and Rick Stephens permanent , both non African-American and both under the age of 40, but they also had an assembly open available as Billy Baxter told me would be the case back In September 2015, but instead of giving that position to me they gave that position to Akeem Ali who started to work in assembly in January 2016 right after the Holiday Break.I learned of this on May 23rd, 2016.

In April 2016 Billy Baxter and Grundfos made Todd Kirchkoff and Alex Silva permanent

both are non African-American and are under the age of 40, but Grundfos had two position available in assembly one for an industrial painter and one for Clean and Prep where I was working at the time in February 2016. Terry made the announcement in the Action Plan Meeting in February 2016 that those two position was open, I learned of this on May 23rd, 2016, once again positions were available in February 2016 but I was not given a permanent position as I was promised, since I raised the safety concern the retaliation is on going which is resulting in discrimination (age and race).

I was not permitted overtime when Sosas, Winston, ans Lomack under age of 40 were, when there were a variety of shifts being made.

I was stuck in the Water Test area while all employees under age of 40 were trained in trim and balance room and Paint Booth even though Sosa refused to be trained there and Lomack left.

This discriminatory conduct is illegal under the Civil Rights Act of 1964 and the race discrimination which is willful and malicious is illegal under 42 USC 1981. Where similarly situated employees are being treated more favorably than I am.

SEXUAL HARASSMENT AND HOSTILE WORK ENVIRONMENT

On May 27th, 2016 Jorge Sosa, my Zone Leader, call me over at 500am after our assignment meeting and told me he had a wild night last night and begin to tell me he had a dream that someone was cuddle up under him and when he woke up in his dream it was me, and then when he woke up from the dream he was hot and sweaty. This is over the line, no this is beyond the line this is mental abuse he has placed this image in my mind that I can not get rid of, and I am subconscious about bending over at work and brushing up against other male employee at work however incidental. Every time I see Jorge Sosa or just hear his voice I become enraged. This situation was set up by the culture at work, when Terry, the Lead would come up to Jorge

Sosa and ask him if he got any shit on his dick this weekend, or when Jorge is bending over on the table filling out the crane log sheet he ask Jorge if he was bending over getting ready for him, or when I was talking to Jorge one morning Terry tell Jorge I do not think Michel is into that and I just walked away, or when Terry and John Taylor(JT) would pinch on each other buttocks, or JT run a rod up the crack of Terry but, or Kenny run a rod up the crack of Terry's but. Or just the constant homosexual suggestion that take place when you are being told not to bend over in front of certain employees, this is the cultural that is permitted at Grundfos from the first day I started and exist to this day and resulted in Jorge Sosa sexually harassment me.

Back in May 2016 when Todd and Alex got hired on full time Jorge came to me and told me he got hired on full time and I said you did not, and he said yes I did, I said when, he said just now, I gave Billy and Terry a blow job and he was using his fist motion toward his mouth demonstrating how he was giving a blow job, Akeem Ali witnessed this incident. Jorge would be telling homosexual stories on how his friend had a mom who would walk around half naked around them and he said he learned that the mom's husband was gay. When we are washing our hands in the bathroom or at a watert area there is jokes about do not drop the soap. Or different employees would say someone was just looking for you, you ask who? And they reply these nuts. It was just one homosexual story, gesture, and/or innuendo after another it is just the culture created by Grundfos, creating this hostile work environment. This is just a few of the incident that has occurred but there are many more. Therefore I am filing this complaint for all the reasons stated above.

ADDITIONAL COMPLAINTS

On May 25th, 2016 I., Michel Thomas informed Terry Jalufkas (my Lead) that I was having problems breathing from the fumes from the paint booth, the can paint being used in the area, among other fumes being emitted into the air, causing me to become dizzy, but Terry stated it was all part of the job, I then went outside to get some fresh air. The next day on May 26th, 2016 Terry called me over and told me that he was giving me a formal verbal warning for going outside and stated that I need to not leave my work station, I was working in the Kitting area at the time. Terry refused to give me a copy of the formal verbal warning when I asked for a copy. When it was time for an assignment change on June 6th, 2016, Terry then retaliated against again refusing to train me in the Trim and Balance Area or the Paint Booth as had been promised, instead Terry once again put me in the Water Test Area once I raised a safety concern. This retaliation is continuous every day, as long as I am not being trained in all areas as promised and not being hired full time as promised. As of June 22nd, 2016 as I write this complaint I am still being retaliated against for raising safety concerns. I am employed by Grundfos at 903 Koomey Road Brookshire, Texas 77423.

I am asking that an investigation be done on the complaint I filed with OSHA.

I have been adversely effective by the action of Grundos when they retaliated and discriminated against me by not hiring me in November or December 2015.

ADVERSE ACTIONS

I have lost bonus money in the tone of \$3000.00.

I have lost four weeks of vacation time.

I have lost 52 hours of personal time.

I have lost holiday pay.

I have lost the ability to get raises.

I have lost medical and dental coverage.

This is thousands of dollars which have been lost and I am stilling losing each day this Retaliation and discrimination continues.

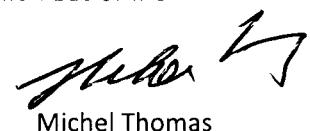
Therefore I have been adversely effected by the discrimination and retaliation of Grundfos for raising safety concerns.

I am asking for due process and outline in section 11c of the OSHA Act which mandates the Secretary of the Commission directs an investigation and render a decision within thirty to ninety days.

Which then if a party is aggrieved by the commission have sixty days to file an appeal to the Court of Appeals.

Complaint ask that the investigation be conducted in full in accordance to section 11c of the OSHA Act.

7 of 7



Michel Thomas

I hereby swear or affirm under the penalty of perjury that all stated above and within.

Sworn and subscribed on this 23 of February, 2018.

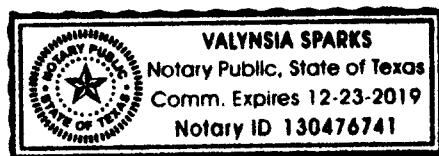
Day

Month

Yea



Notary Signature



My Signature

CLAIMANT'S RESPONSE TO INTERROGATORIES

I would first like to address the issue of reporting the harassment and discrimination.

Neither, Grundfos or Link Staffing had informed me of a procedure in reporting harassment and discrimination, I had no idea how to report it and to whom to report it to. It was not until after I filed the first complaint in June 2016 did Grundfos and Link Staffing then inform me of the procedure and to whom to report harassment. I have attached the information with these answers of the card Link Staffing provided me.

Moreover in around March or April 2016 I tried to report the harassment and discrimination to Human Resources, management, and corporate, and I was not allowed to do so by Billy Baxter the production manager and Paddi Riopelle of Human Resources.

This is what took place, Grundfos was passing out employee surveys for all Grundfos employees and temporary employees who had been on for more than 90 days which I had, and I had taken the survey the previous year. This survey permitted you to address any concerns you had on the job and those concerns could be raised without your name being attached.

Paddi Riopelle refused to give the survey to the qualified temporary employees stating that we did not qualify for the survey, Paddi made this false assertion in the toolbox meeting that was being held and all the assembly workers witness it. Todd, Alex, Marlin, Mauro, Emilio, Anthony, Kenny, Mike Myers, and Mike Mckasell, Akeem, Ali, Louis, Chuy (Jesus), Rudy and Terry. But I challenged Paddi on that telling her that was not correct and the temporary employees were to get one. Paddi then said she would check on it and we left the toolbox meeting, in short order Paddi along with Billy Baxter then came to my work area where I was working with Matt Thompson and they called Matt and myself over and told us we did not qualify for the survey, once again I challenged that position, and asked to speak with Steve Marshall, and Jonathan Hamp Adam and the phone number to corporate, I advised Paddi and Billy that

there were attempting to suppress the dissent of the temporary employees with the improper things that were going on, Paddi and Billy refused my request telling me that those entities had nothing to do with this and I replied yes the did. Matthew Thompson can verify this he witnessed it firsthand. Paddi and Billy left and shortly Billy Baxter returned back and called me over alone and that is when he threaten my job stating, "You know you are not full time right" and I replied, "Yes, but I do not do anything based on fear. He then left and minutes later coming back saying Michel you were right you all do qualify for the survey, and then took our email address but they never gave me a survey instead they locked me out of my email and when I made another email account before the dead line they refused to give me the survey. Not once did Paddi or Billy inquire about what the issues the temporary employees had, because they already knew because complaints had been made about the harassment to Human Resources and management did was not a new issue, but they tried to keep the issue suppressed through intimidation and manipulation. The Sosa incident could have been prevented if Paddi and Billy would have given me my survey, and given me the number to corporate and let me speak with Steve Marshall, and Jonathan Hamp Adam.

RETALIATION

I want to ensure that the issue of retaliation is addressed, I have presented the disciplinary action taken against me by Link Staffing due to a call they received form Grundfos management and/or Human Resources, they worked in concert, concurrent causation, where they attempted to prevent me from reporting the discrimination and pursuing the issue, this is indisputable, its in their own words. Link Staffing states in the counseling statement that I was to raise the issue with them, but I did in fact raised the issue with them. A copy of the June 2016 complaint which alleged the discrimination as well as other things were given to them (Christina Dittmar) and on September 1st, 2016 this issue of

discrimination was address in a meeting that was held with me with Steve Marshall and Jonathan Hamp Adam of Grundfos and Christine O'Brien and Jeff Weaver of Link Staffing, in which all agreed that no discrimination took place and that both companies were an equal employment opportunity company. Once I discovered otherwise Link Staffing in pretext for retaliation and to suppress my pursuit of the issue of discrimination they wrote this bogus disciplinary action, and when Grundfos and Link Staffing seen it was not going to deter me Grundfos terminated my assignment to attempt to end the relationship so I would have no need to go to corporate that to failed. I sent you both complaints and the write up so the issue of retaliation is indisputable and I hope it will not be ignored or swept under the rug.

- 1. After you complained to management about Mr. Sosa comments what action did the Respondents take?** First let me state this is not about just Mr. Sosa comments, I ask that it not be narrowed to that. My complaint alleges sexual harassment causing a hostile work environment and this entails the conduct of all whom where participating in this conduct. This cultural of offensive conduct of the verbal and physical natures was going on before I and Mr.Sosa arrived. This was going on from the first day I arrived throughout the day all day. The comments John Taylor (JT)made to me, They looking for you, I ask who he reply "these nuts" and start laughing, or when I been over comments being made you don't want to bend over in front of JT, and when you been over employees start making the sheep sound "babababa" as if bestiality is taking place, Terry Jalufka continues asking you get any shit on you dick this weekend, or when we are getting off stating guys lets go get some shit on our dicks, or he asking Soa are you bending over getting ready for me, or dropping a piece of paper on the floor asking Sosa to pick it up, the groping of each other, running things up the crack of each other buttock,

and on and on. Sosa took on the behavior of his abuser and made those comments me to. This is the issue the cultural of sexual harassment fir was severe, pervasive and chronic. And management had gotten complaints in the past and did cease the conduct. When I reported it to management an investigation was conducted and it was concluded that there were a cultural of this offensive conduct both verbal and physical and nearly everyone in the assembly department had taken part in it. Paddi words to the assembly department there is a cultural of this conduct. The following witnesses can corroborate the fact Paddi said this. Ali, Akeem, Marlin, Adolph, Mike (both), Kenny, Anthony, Louis, Mauro, Cammarino, Matt, Roy, and Rudy. So Mr. Sosa comments were only a small piece of the culture. Also investigatons were conducted by both Henri Baek of corporate from my complaint and By Paddi Riopelle from Sosa'a complaint. Both investigations concluded there were a cultural and they then conducted a harassment class.

What evidence do you have that non African American were hired full time but African American were not?

This is not what I allege in my complaint, please read the complaint. What I allege is that European Americans were giving preferential treatment and shown favoritism over non European Americans (which includes African American, Mexican American, and Arab American). It worked like this, if you were European American you only had to work as a temporary employee for four months or less before Grundfos made a decision on your future with the company you were going to be hired full time or assignment was ended. In contrast non European Americans had to work two times plus as a temporary employee before Grundfos made a decision on whether they were going to hire them full time or end their assignment. Because I was not European American I was treated more harshly than European American as was the case with most other non European Americans. So the issue

is the disparity in length of time European Americans were required to work as a temporary employee before a decision was made on their future with Grundfos, versus the length of time non European American had the spend as a temporary employee before Grundfos made a decision on their future with the company whether they made them full time or ended their assignment. My evidence is my direct investigation in talking to each person on the production floor and verified the time the spent as a temporary employee before being hired, and the pattern of disparity became indisputable. Note, Marlin, Mcshan, Lousi Rangel, Ali, and Kevin of logistics is not similar situated employees on this issue, because each had a previous work history with the Grundfos company, prior to being hired on full time. This is about temporary who had no prior work history with Grundfos and then working as a temporary employee, wanted to make that clear as well. I was discriminated against because I was not an European American, more so that being an African American, but I could have been Mexican American or Arab American and suffer the same faith as they did. The Respondents have the documentation just ask for the application and time cards over the last 7 years and ask for the temporary agencies Link Staffing and Daniel group to hand over the application of those temporary employees who went to Grundfos. Also visit the site and just ask each employee how long they worked as a temporary employee before being hired on full time. Ed P., Ernest, Kevin, Patrick, John, Sarah, Margie, Antonio, Joe, Jessie, Lou, all worked in logistic. Tood, Alex, Matt, Anthony, Emilio, Mauro, Cammario, Chuy, Marlin, Adolph, Ali, Akeem, Rudy in assembly. Leo, Oswald Bush Jr., Shane, Rufus of machine shop. Rick Stephens and Bernie Flores of test lab. Takes less than five minutes each and that fact will be corroborated.

What training did you ask for which non African Americans were given . What evidence do you have to support substantiate that your race, age, color and sex were the reason?

Once again this not what I allege, what I allege is that two European American males were not required to follow the continuum of training that had been long established, followed and explained. Training as an assembly mechanic was the last step in the training process and you had to first do all the laborious work, water testing, de crating, clean and prep, trim and balance this was the process that all non European Americans had to follow period. But favoritism and preferential treatment was given to two European Americans, Matthew Thompson and Chris Voss, which both are European American and under the age of 40, they came in on their first day and start training as an assembly mechanic, moving ahead of all non European Americans who had been there longer, including myself and I had been promise by Terry Jalufka that I would train as an assembly mechanic to be prepared for the mechanical position that would be given to me in November or December 2015. My evidence is witnessing this with my own eyes, the documentation is through the logs light weight pump log which shows who built what pumps and through the forms that has the names of each person who built that pump obtain those documents and you all all the evidence you need. But also you can interview Camarino, Mauro, Adolph, Chuy, Rudy, Marlin, Kenny, Mike (both) Louis, Ali, Anthony, Akem, Terry, Lonnie, Roy, Matt, and Chris. Once gain this is not about two European Americans under the age of 40, being moved ahead of me in the training continuum, as well as ahead of other non European Americans who had been there longer. That is the issue I allege.

Did the respondent make a negative comments about your age? If so when? Did you report it? If so, to whom? Please provide documentation. Please provide witnesses with firsthand/direct information to support your allegations.

Once again I never alleged in my complaint that a negative comment was made about my age by anyone. I am alleging acts took place. Actions speak louder than words, and see the answer above in number three that is the allegation I am making about age discrimination and see my complaints, also talk to the witnesses and obtain the documents I also mention in answer number three above.

Did the Respondents make negative comments about your race/color? If so when and how often? Did you report it? If so to whom? Please provide documents evidence. Please provide with firsthand/ direct information to support your allegations.

Terry Jalufka did state that he felt that interracial dating and marriage was wrong and that each race should stay within their own race. I do not know the date he say this, but he was stating this to Roy Blair and Roy Blair can corroborate this fact. My race discrimination has to do with the answer I made in interrogatory numbers two and three and you can talk to the witnesses and obtain the documentation I outlined in answer two and three. Plus my firsthand knowledge that I witness and conducted an investigation.

Did the Respondent make negative comments about your sex? If so when and how often? Did you report it? If so to whom? Please provide documented evidence. Please provide witnesses with firsthand/direct information to support your allegations.

My allegations of sex discriminations, falls under the sexual harassment and hostile

work environment from the cultural of offensive conduct of a sexual nature which was verbal and physical as I outlined in answer number one, obtain the investigation notes and talk to all the employees that were employed at the time of complaint. So the sex discrimination is due the sexual assignment and hostile work environment which was severe, pervasive, chronic, and continuous.

I do swear or affirm under the penalty of perjury that all answers to these questions are true to the best of my knowledge.

07/29/2017

Michel Thomas


*COPY**COB*

EMPLOYEE COUNSELING REPORT

Name <u>Michael Thomas</u>	Position <u>Field Staff</u>	Date <u>10.17.16</u>
Location <u>Katy</u>	Department no _____	Work-site # _____
Supervisor Name <u>Matt Trimble</u>		
Type of Action	Dates of Previous Action(s): <u>8/23/16, 9/1/16, 9/30/16</u>	
<input type="checkbox"/> Employee Counseling <input type="checkbox"/> Written Notice <input checked="" type="checkbox"/> Final Written Notice <input type="checkbox"/> Suspension <input type="checkbox"/> Termination		
<p>Describe the performance, conduct or behavior and impact on the job and/or company (include date, time, place & specific details)</p> <p>Michael approached the Grundfos HR Manager last week about a concern he had with this client. Michael did not follow company guidelines in addressing his concerns. Found on page 3 of the Employee Handbook, "If, for any reason, you have a problem reporting to work, missing work, or any issues while on assignment - contact Link." Michael was verbally counseled about this same issue during employee meetings with Link on August 23, September 1 and September 30.</p>		
Expected improvement and/or standards for the future	Michael needs to follow his conditions of employment by recognizing Link as his employer. Michael is to call the Link office in Katy or Christie O'Brien, HR Manager, for escalation, if he has any questions or concerns about his employment or the work environment of the client while on assignment.	
Date of next review <u>11/1</u>		
<p>Next action if employee does not meet the improvement/standards required</p> <p>Further disciplinary action, up to and including termination will occur if Michael does not follow his conditions of employment.</p>		
<p>Employee comments – allow the employee to respond, preferably in writing</p> <p><i>I do understand that I must inform Link first of concern. I am now asking for the answer to see</i></p>		
<p>Supervisor's comments</p>		
<p>I acknowledge that the above evaluation has been discussed with me and My signature does not imply agreement or disagreement</p> <p><i>Michael Thomas</i> Employee signature</p> <p><i>10/17/2016</i> Date</p>		<p>Supervisor</p> <p><i>Matt Trimble</i> Signature</p> <p><i>10.17.16</i> Date</p>
<p>Reviewed By</p>		<p>Signature _____ Date _____</p> <p>Human Resources</p> <p><i>Christie O'Brien</i> Signature</p> <p><i>10.17.16</i> Date</p>

writing if I am permitted to talk
my concerns to corporate staff
of Grandfors about the discrimination
Matt and Christy informed me they
would get back on with me on the
answer if I can contact corporate
Grandfors about the discrimination.
Matt and Christy also stated they
will provide me with and employee
hand book which I have not been
provided previously. I deem this
as retaliation for raising the issue
of discrimination.

Kitting Daily Productivity Log

Date _____

10-18-2016